

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

**Montana Historical Society
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BUSINESS REPORT

**MONTANA SENATE
63rd LEGISLATURE - REGULAR SESSION**

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

Date: Wednesday, April 3, 2013
Place: Capitol

Time: 8:30 A.M.
Room: 422

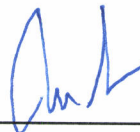
BILLS and RESOLUTIONS HEARD:

HB 284 - Provide increases to commissions for agency liquor stores - Rep. Rob Cook
HB 501 - Revise insurance laws on limiting midterm premium increases - Rep. Tom Berry
SB 404 - Revise insurance laws to clarify certain fees not taxes for premium tax purposes -
Sen. Fred Thomas
SJ 24 - Requesting an interim study of military training applicability to civilian jobs - Sen.
Edward Buttrey

EXECUTIVE ACTION TAKEN:

HB 501 - Tabled
SJ 24- Do Pass
HB 460 - Tabled
HB 464 - Be Concurred In As Amended

Comments:



SEN. Jon Sonju, Chair

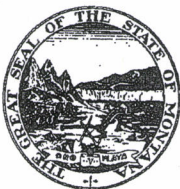
MONTANA STATE SENATE ROLL CALL

BUSINESS, LABOR, AND ECONOMIC AFFAIRS

DATE: 4-3-, 2013

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair Jackson	✓	
Senator Facey		✓
Senator Arntzen	✓	
Senator Moore		✓
Senator Stewart-Peregoy		✓
Senator Barrett	✓	
Senator Brown	✓	
Senator Van Dyk	✓	
Senator Vuckovich	✓	
Chairman Sonju	✓	

10 Committee Members



SENATE STANDING COMMITTEE REPORT

April 3, 2013
Page 1 of 4

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **House Bill 464** (third reading copy -- blue) be concurred in as amended.

Signed: _____

Vardell Jackson
Senator Jon Sonju, Chair

To be carried by Senator Tom Facey

And, that such amendments read:

1. Title, page 1, line 5.

Following: "WAGES;"

Insert: "CLARIFYING THE CEILING FOR WAGE RATES AND FRINGE BENEFIT RATES;"

2. Title, page 1, line 8.

Following: "SERVICES"

Insert: ", "

Strike: "AND"

Following: "HIGHWAY CONSTRUCTION"

Insert: "SERVICES, AND BUILDING CONSTRUCTION"

3. Title, page 1, line 11.

Following: "SECTIONS"

Insert: "18-2-402,"

4. Page 1.

Following: line 15

Insert: "Section 1. Section 18-2-402, MCA, is amended to read:

"18-2-402. **Standard prevailing rate of wages.** (1) The commissioner may determine the standard prevailing rate of wages, including fringe benefits, applicable to public works contracts under this part. The commissioner shall keep and maintain copies

Committee Vote:

Yes 6, No 4

Fiscal Note Required __

of collective bargaining agreements and other information on which the rates are based.

(2) The provisions of this part do not apply in those instances in which the standard prevailing rate of wages is determined by federal law.

(3) Whenever this part is applicable, the standard prevailing rate of wages, including fringe benefits, is the ~~may be equal to but not greater than~~ of the highest applicable rate of wages in the area for the particular work in question as negotiated under existing and current collective bargaining agreements or the rate determined by the applicable survey under this part.""

5. Page 1, line 19.

Strike: "heavy construction and"

6. Page 2, line 16.

Following: "plus"

Insert: "zone pay, per diem, and"

7. Page 2, line 23.

Following: "(b)"

Insert: "(i)"

8. Page 2, line 25.

Following: "wage."

Insert: "(ii)"

9. Page 2, line 26.

Strike: "that wage"

Insert: "then the higher of the collective bargaining agreement rate or the surveyed rate"

10. Page 4, line 1.

Strike: "(a)"

11. Page 4, line 3.

Strike: "(i)"

Insert: "(a)"

12. Page 4, line 6.

Strike: "or"

13. Page 4, line 7.

Strike: "(ii)"

Insert: "(b)"

14. Page 4, line 8.

Following: "Montana"

Insert: "; or

(c) use, as provided by rule, a combination of surveyed rates, as provided in subsection (2)(a), and rates adopted by reference, as provided in subsection (2)(b)"

15. Page 4, lines 9 through 11.

Strike: subsection (b) in its entirety

16. Page 4, line 13.

Following: "zone pay"

Insert: ", per diem,"

17. Page 4, line 14.

Following: "allowances"

Insert: ", if applicable,"

18. Page 4, lines 22 through 28.

Strike: "-- zone pay or per diem" on line 22

Strike: subsections (1) and (2) in their entirety

Insert: "(1) The contracting agency shall determine, based on the preponderance of labor hours to be worked, whether the public works construction services project is classified as a highway construction project, a heavy construction project, or a building construction project.

(2) Once the project has been classified, employees in each trade classification who are working on that project must be paid at the rate for that project classification."

19. Page 4.

Following: line 29

Insert: "NEW SECTION. Section 5. Zone pay and per diem. If there is not sufficient data reported to establish zone pay or per diem for a trade classification, the department may establish a zone pay or a per diem amount that reasonably approximates an applicable average zone pay or per diem rate that is payable for the trade classification."

Renumber: subsequent section

20. Page 4, line 30.

Strike: "[Section 4] is"

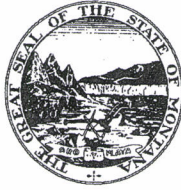
Insert: "[Sections 4 and 5] are"

21. Page 5, line 1.

Strike: "[section 4]"

Insert: "[sections 4 and 5]"

- END -



SENATE STANDING COMMITTEE REPORT

April 3, 2013

Page 1 of 1

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Joint Resolution 24** (first reading copy -- white) **do pass**.

Signed: _____

Verdell Jackson
Senator Jon Sonju, Chair

- END -

Committee Vote:

Yes 10, No 0

Fiscal Note Required ☐

SJ0024001SC.swr

BILL TABLED NOTICE

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

The **SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE** TABLED


HB 460 - Provide residential roofing repair protection for insurance policyholders - Rep. Roger Hagan

HB 501 - Revise insurance laws on limiting midterm premium increases - Rep. Tom Berry

by motion, on **Wednesday, April 3, 2013** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Secretary of the Senate)
11:30 / 4/3
(Time) (Date)

April 3, 2013 (11:06am)

Linda Keim, Secretary

Phone: 444-4315

MONTANA STATE SENATE
ROLL CALL VOTE
BUSINESS, LABOR, AND
ECONOMIC AFFAIRS

DATE: 4-3-, 2013

HB/~~SB~~ # 501

Fails 2-8

NAME	YES	NO
Vice Chair Jackson		✓
Senator Facey		✓
Senator Arntzen	✓	
Senator Moore		✓ P
Senator Stewart-Peregoy		✓
Senator Barrett	✓	
Senator Brown		✓
Senator Van Dyk		✓
Senator Vuckovich		✓
Chairman Sonju		✓

10 Committee Members

MONTANA STATE SENATE ROLL CALL VOTE

BUSINESS, LABOR, AND ECONOMIC AFFAIRS

DATE: 4-3-, 2013

HB/~~SB~~ # 460

Fails 4-6

NAME	YES	NO
Vice Chair Jackson		✓
Senator Facey	✓	
Senator Arntzen	✓	
Senator Moore		✓ P
Senator Stewart-Peregoy		✓
Senator Barrett		✓
Senator Brown		✓
Senator Van Dyk	✓	
Senator Vuckovich	✓	
Chairman Sonju		✓

10 Committee Members

SENATE PROXY

I, Senator ERIC MOORE, hereby authorize Senator Verdell Jackson to vote my proxy before the Senate Business, Labor and Economic Affairs meeting held on 4/3, 2013.

Eric Moos
Senator Signature

4/3/2013
Date

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

Sponsor: **Rep. Tom Berry**

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

Wednesday, April 3, 2013

HB 284 - Provide increases to commissions for agency liquor stores

Sponsor: **Rep. Rob Cook**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

Wednesday, April 3, 2013

SB 404 - Revise insurance laws to clarify certain fees not taxes for premium tax purposes

Sponsor: Sen. Fred Thomas

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

Sponsor: **Sen. Edward Buttrey**

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.